

AMENDED IN ASSEMBLY MARCH 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

Assembly Concurrent Resolution

No. 14

Introduced by Assembly Member Niello

(Principal coauthor: Assembly Member Nielsen)

(Coauthors: Assembly Members *Tom Berryhill*, DeVore, Duvall, Fuller, Garrick, Gilmore, Hagman, and Jeffries Harkey, Jeffries, Knight, and Silva)

(Coauthors: Senators Aanestad, Cox, Harman, Hollingsworth, Huff, and Runner)

January 27, 2009

Assembly Concurrent Resolution No. 14—Relative to the California Global Warming Solutions Act of 2006.

LEGISLATIVE COUNSEL'S DIGEST

ACR 14, as amended, Niello. California Global Warming Solutions Act of 2006.

This measure would call upon the State Air Resources Board, prior to any regulatory action being taken consistent with the scoping plan for the implementation of the *California* Global Warming Solutions Act of 2006, to perform an economic analysis that will give the State of California a more complete and accurate picture of the costs and benefits of the act's implementation. The measure would also call upon the Governor to use the authority granted by the act to adjust any applicable deadlines for regulations.

Fiscal committee: yes.

- 1 WHEREAS, The State Air Resources Board is developing a
- 2 greenhouse gas emission reduction program pursuant to the

1 California Global Warming Solutions Act of 2006 (the act) to
2 reduce greenhouse gas emissions in the state to 1990 levels by the
3 year 2020; and

4 WHEREAS, The act requires the State Air Resources Board to
5 design emission reduction measures to meet statewide emissions
6 limits for greenhouse gases established pursuant to the act in a
7 manner that minimizes costs and maximizes benefits for
8 California's economy; and

9 WHEREAS, The State Air Resources Board has adopted a
10 scoping plan to lower the state's greenhouse gas emissions to meet
11 the 2020 limit; and

12 WHEREAS, The scoping plan's primary purpose is to develop
13 a set of measures that will provide the maximum cost-effective
14 and technologically feasible greenhouse gas emission reductions;
15 and

16 WHEREAS, The State Air Resources Board is required by the
17 act to consider the economic impacts of the scoping plan through
18 an economic analysis; and

19 WHEREAS, Given the current extraordinary circumstances
20 with regard to California's budget and the recessionary state of
21 our economy, it is more important than ever that we have an
22 accurate economic estimate of the impact of the actions proposed
23 in the scoping plan before proceeding with regulations to
24 implement the act; and

25 WHEREAS, As public servants, it is the duty of the State Air
26 Resources Board to ensure that California has a complete and
27 accurate picture of the full economic impact of any regulatory
28 actions; and

29 WHEREAS, The nonpartisan Legislative Analyst believes that
30 the scoping plan's overall emissions reductions and purported net
31 economic benefit are highly reliant on one measure; and

32 WHEREAS, The Legislative Analyst believes that the plan's
33 evaluation of the costs and savings of some recommended measures
34 are inconsistent and incomplete; and

35 WHEREAS, The Legislative Analyst believes the scoping plan's
36 macroeconomic modeling results show a slight net economic
37 benefit to the plan, but that the State Air Resources Board failed
38 to demonstrate the analytical rigor of its findings; and

1 WHEREAS, The Legislative Analyst believes that economic
2 analysis played a limited role in development of the scoping plan;
3 and

4 WHEREAS, The Legislative Analyst believes the scoping plan
5 fails to lay out an “investment pathway”; and

6 WHEREAS, The State Air Resources Board’s peer review of
7 the scoping plan, commissioned by the State Air Resources Board,
8 also found that the State Air Resources Board was less than
9 thorough or analytical in its economic analysis of the scoping plan
10 and found that the board should have taken into account several
11 factors that it did not; and

12 WHEREAS, The Governor has the ability under the authority
13 granted to him by the act in Section 38599 of the Health and Safety
14 Code to adjust the applicable deadlines for individual regulations
15 when extraordinary circumstances, catastrophic events, or threat
16 of significant economic harm exists; now, therefore, be it

17 *Resolved by the Assembly of the State of California, the Senate*
18 *thereof concurring*, That the Legislature calls upon the State Air
19 Resources Board to, prior to any regulatory action being taken
20 consistent with the scoping plan for the implementation of the
21 *California Global Warming Solutions Act of 2006*, perform an
22 economic analysis that will give the State of California a more
23 complete and accurate picture of the costs and benefits of the act’s
24 implementation; and be it further

25 *Resolved*, That the Governor of the State of California use the
26 authority granted by the act to adjust any applicable deadlines for
27 the adoption of regulations; and be it further

28 *Resolved*, That the Chief Clerk of the Assembly transmit copies
29 of this resolution to the author for appropriate distribution.